



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,818	10/19/2001	Ichiko Mayuzumi	35.G2925	7568

5514 7590 05/20/2005

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

PAN, YUWEN

ART UNIT	PAPER NUMBER
----------	--------------

2682

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/981,818	MAYUZUMI, ICHIKO	
	Examiner	Art Unit	
	Yuwen Pan	2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-6,18 and 21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-6,18 and 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's arguments with respect to claims 1, 4-6, 18, and 21 have been considered but are moot in view of the new ground(s) of rejection.
2. The examiner acknowledged that claims 2,3, 7-17, 19, 20, 22, 23 have been canceled without prejudice.

DETAILED ACTION

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4-6, 18, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips (US006748195B1) in view of Yoshinaga (US006317582B1).

Per claims 1 and 18, Phillips discloses an input apparatus connectable to a plurality of devices (see figures 3), said apparatus comprising: display means for displaying a list of the plurality of connected devices (see figure 5-8, column 6, lines 27-42); selection means for selecting one of the plurality of devices based on the list displayed by said display means (see column 6 and lines 44-47) ; and operation means for operating the device selected by said selection means (see column 5 and lines 47-65). Phillips doesn't teach that said display means displays the list of the plurality of connected devices according to radio communication in different modes for the device capable of being operated by said operation means and other devices unable to be operated by said operation means. Yoshinaga teaches that display means displays the list of the

plurality of connected devices according to radio communication in different modes for the device capable of being operated by said operation means and other devices unable to be operated by said operation means (see figure 1 and column 3 16-38, column 5 and lines 46-59). It would have been obvious to one ordinary skill in the art at the time the invention was made to combine the teaching of Yoshinaga with Phillips' device such that it is convenience for a user to observe and select one wireless connection mode among of all the available ones.

Per claims 4 and 5 Phillips further teaches that the connection is performed in a communication mode for device operated by said operation means, and the connection is performed in a low power consumption mode for the other devices, wherein the low power consumption mode is one of a park mode, a hold mode and a sniff mode (see column 1 and line 61-column 2 and line 8).

Per claim 6, Phillips further teaches a pointing device see column 1 and lines 20-25).

Per claim 21, Phillips discloses an input apparatus comprising: connection means for performing radio connection to a plurality of devices (see column 3 and lines 19-32), operation means for operating one of the plurality of devices subjected to radio connection, wherein said connection means performs radio connection to the device operated by said operation means and to other devices in different modes (see column 6 and lines 11-26). Phillips doesn't teach that said display means displays the list of the plurality of connected devices according to radio communication in different modes for the device capable of being operated by said operation

Art Unit: 2682

means and other devices unable to be operated by said operation means. Yoshinaga teaches that display means displays the list of the plurality of connected devices according to radio communication in different modes for the device capable of being operated by said operation means and other devices unable to be operated by said operation means (see figure 1 and column 3 16-38, column 5 and lines 46-59). It would have been obvious to one ordinary skill in the art at the time the invention was made to combine the teaching of Yoshinaga with Phillips' device such that it is convenience for a user to observe and select one wireless connection mode among of all the available ones.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Art Unit: 2682

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yuwen Pan whose telephone number is 571-272-7855. The examiner can normally be reached on 8-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Yuwen Pan
May 10, 2005


VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600